

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In re \_\_\_\_\_ ) Case No. \_\_\_\_\_  
 )  
 ) NOTICE OF MOTION FOR  
 ) RELIEF FROM AUTOMATIC  
 Debtor(s) ) STAY IN A CHAPTER 11/12 CASE,  
 ) AND OF HEARING THEREON

**YOU ARE NOTIFIED THAT:**

1. A motion was filed by \_\_\_\_\_ for relief from the automatic stay protecting the debtor(s) and debtor's property, as provided by 11 USC §362.
2. The name and address of the moving party's attorney (or moving party, if no attorney) are:
3. If you wish to resist the motion you must, within 14 days of the service date shown below, file a written response with the Clerk of the Bankruptcy Court and, if served in paper, a certificate showing a copy of the response has been served on the moving party's attorney.
4. Contents of Response. A response must state the facts upon which relief from the automatic stay is resisted. See [Local Form 720.50](#) for details.
5. **If you file a timely Response:**

A Hearing on the motion will be held as follows:

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**Location:** ☐ Courtroom # \_\_\_\_\_, \_\_\_\_\_

☐ Telephone Hearing [NOTE: See [LBF 888](#), Telephone Hearing Requirements]

**Call In Number:** (888) 684-8852

**Access Code:** ☐ 4950985 for Judge Trish M. Brown (tmb)  
☐ 5870400 for Judge David W. Hercher (dwh)  
☐ 1238244 for Judge Peter C. McKittrick (pcm)  
☐ 3388495 for Judge Thomas M. Renn (tmr)  
☐ Other \_\_\_\_\_

NO TESTIMONY will be taken at the hearing.

6. **If a timely response is not filed**, then either:
  - a. The court may sign an ex parte order, submitted by the moving party, granting relief from the stay;
  - or b. The stay will expire under the terms of 11 USC §362(e) 30 days after the motion was filed.

CLERK, U.S. BANKRUPTCY COURT

(If filing in paper and if the 5-digit portion of the Case No. begins with "3" or "4", mail to 1001 SW 5th Ave. #700, Portland OR 97204. If it begins with "6" or "7", mail to 405 E 8<sup>th</sup> Ave #2600, Eugene OR 97401)

I certify that on \_\_\_\_\_ copies of (1) this Notice, (2) [Local Form 720.50](#) if this Notice was served on paper, (3) [Local Form 888](#) if this Notice was served on paper and a Telephone Hearing will be held, and (4) the Motion were served on the Debtor(s), U.S. Trustee, and on the following parties, if any: Trustee, Creditors' Committee Chairperson, and their respective attorneys.

\_\_\_\_\_  
Signature of Moving Party or Attorney

1 Bennett H. Goldstein, OSB No. 80239  
1132 SW 19<sup>th</sup> Ave., No. 106  
2 Portland, Oregon 97205  
Telephone: (503) 294-0940  
3 Telecopy: (503) 294-7918  
Email: [bhgoldatty@comcast.net](mailto:bhgoldatty@comcast.net)

4 Attorney for Creditor Bank of Eastern Oregon  
5  
6  
7

8 UNITED STATES BANKRUPTCY COURT  
9 DISTRICT OF OREGON

10  
11 In re

12 MARK E. DELONG,

13 Debtor.  
14  
15

Case No. 17-34395-pcm11

**RENEWED MOTION OF BANK OF  
EASTERN OREGON FOR RELIEF  
FROM AUTOMATIC STAY**

16 Bank of Eastern Oregon (“Bank”), a secured creditor of the Debtor, renews its motion for  
17 an order terminating, granting relief from or modifying the automatic stay imposed by 11 U.S.C.  
18 § 362(a).

19 The Bank relies on the reasons set forth in its previous filings herein, Doc # 30 and Doc #  
20 46, on the record before the court established at the hearing held on February 27, 2018, and on  
21 the fact that the Debtor has failed to file a plan or disclosure statement within the time required.

22 Date: April 3, 2018.

23 /s/ Bennett H. Goldstein

24 Bennett H. Goldstein, OSB No. 80239  
25 Attorney for Bank of Eastern Oregon  
26

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **MOTION OF BANK OF EASTERN OREGON FOR RELIEF FROM AUTOMATIC STAY** on the following on April 3, 2018 via ECF, as more fully reflected on the Notice of Electronic Filing:

DAVID B GRAY on behalf of Creditor Deere & Company  
david@davegraylaw.com, dgrayattorney@gmail.com

NICHOLAS J HENDERSON on behalf of Debtor Mark E. Delong nhenderson@portlaw.com,  
csturgeson@portlaw.com;tsexton@portlaw.com;atrauman@portlaw.com

TROY SEXTON on behalf of Debtor Mark E. Delong tsexton@portlaw.com,  
nhenderson@portlaw.com,csturgeson@portlaw.com,mmyers@portlaw.com,troy-sexton-  
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US Trustee, Portland  
USTPRegion18.PL.ECF@usdoj.gov

SONIA ZAHEER on behalf of U.S. Trustee US Trustee, Portland  
sonia.zaheer@usdoj.gov

/s/ Bennett H. Goldstein

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Attorney for Bank of Eastern Oregon